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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,832	05/30/2001	Matthew W. Hartley	6169-251	6113
40987	7590	08/26/2004	EXAMINER	
AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188			AZAD, ABUL K	
			ART UNIT	PAPER NUMBER
			2654	

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/867,832	Applicant(s) HARTLEY ET AL.	
	Examiner ABUL K. AZAD	Art Unit 2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/02/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-15 are pending in this Office Action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. ~~Claims 1-5 and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable~~
over Wuppermann et al. (US 6,725,197) in view of Hon et al. (US 6,490,563).

As per claim 1, Wuppermann teaches, "a voice spelling method comprising the steps of":

"in an audio-only interface, receiving a plurality of audio signals representative of spoken characters, said plurality of spoken characters specifying a string" (col. 4, lines 11-12, and col. 4, lines 35-38).

Wuppermann teaches, individually recognized letters are then issued via an interface 5 (user interface) with a request to the user either to acknowledge the correctness of this letter or reject it" (col. 4, lines 38-41) but does not explicitly teach, providing audible feedback. However, Hon teaches providing audio feedback (col. 58-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide audio feedback because Hon teaches user can detect

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recognition error without looking at the screen according to his invention (col. 2, lines 65-67).

As per claim 2, Wuppermann teaches, "accepting a voice selection of one of said played back characters, said selection denoting a disputed character" (col. 4, lines 42-43);

"identifying a replacement character" (col. 6, lines 27-37); and,

"replacing said disputed character with said identified replacement character in said specified string" (col. 6, lines 27-37).

Wuppermann teaches, individually recognized letters are then issued via an interface 5 (user interface) with a request to the user either to acknowledge the correctness of this letter or reject it" (col. 4, lines 38-41) but does not explicitly teach, providing audible feedback. However, Hon teaches providing audio feedback (col. 58-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide audio feedback because Hon teaches user can detect recognition error without looking at the screen according to his invention (col. 2, lines 65-67).

As per claim 3, Wuppermann teaches, "suggesting a replacement character for use in place of said disputed character" (col. 6, lines 38-56).

As per claim 4, Wuppermann teaches, "querying a database of empirically determined replacement characters for a suitable replacement character" (col. 5, lines 11-64); and,

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“suggesting a replacement character based upon results of said query” (col. 5, lines 11-64).

As per claim 5, Wuppermann teaches, “wherein said step of suggesting a replacement character comprises the steps of: generating an n-best list of replacement characters and, suggesting a replacement character based upon said n-best list” (col. 6, lines 38-54).

As per claims 8-12, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1-5.

4. Claims 7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wuppermann et al. (US 6,725,197) in view of Hon et al. (US 6,490,563) as applied to claims 1 and 8 above, and further in view of Bareis (US 5,706,399).

As per claim 7 and 13 Wuppermann and Hon do not explicitly teach, “generating an audible beep for each textually equivalent character produced”. However, Bereis teaches, “generating an audible beep for each textually equivalent character produced” (col. 6, lines 20-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to generate audible beep because one ordinary skill in the art would readily recognized that would provide the user attention to the user interface to properly listen the received character.

5. Claims 6, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wuppermann et al. (US 6,725,197) in view of Hon et al. (US 6,490,563) as applied to claims 1 and 8 above, and further in view of applicant’s admitted prior art.

As per claims 6, 14 and 15, Wuppermann teaches, "speech recognizing a plurality of words, each word representing a spoken character" (col. 4, lines 35-39 and col. 4, lines 55-57).

Wuppermann does not explicitly teaches, "each said word encoding said represented character according to an alpha grammar, decoding each said word into said represented character". However, applicant acknowledges that it is known at page 2 lines 3-11, "each said word encoding said represented character according to an alpha grammar, decoding each said word into said represented character". Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use alpha grammar because of distinguish characteristic of the pronunciation of the characters according to the alpha grammar, that would provide a particular letter to speech recognizer more specifically.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(703) 305-9645**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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Or faxed to:

(703) 872-9314

(For informal or draft communications, please label "PROPOSED" or "DRAFT")

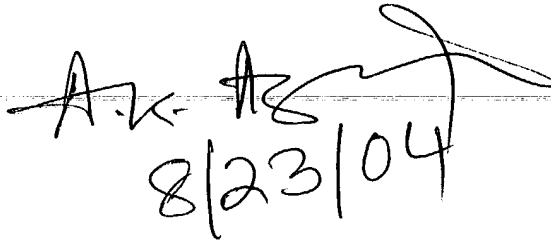
Hand-delivered responses should be brought to 2121 Crystal Drive, Arlington,

VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center's Customer Service Office at telephone number **(703) 306-0377**.

Abul K. Azad

August 23, 2004

A handwritten signature, likely of Abul K. Azad, is written in black ink. Below the signature, the date "8/23/04" is written in a similar handwritten style. The signature is somewhat stylized and cursive.